

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

MITCHELL LEE WEBER

PLAINTIFF

VS.

CIVIL ACTION NO. 3:09cv482-HTW-LRA

DR. R. MCMICHAEL, M.D., ET AL

DEFENDANTS

**ORDER**

THIS CAUSE is before the Court on Defendants' Motion to Strike *Pro Se* Filings, document 26, filed April 1, 2010. Counsel for Plaintiff has not responded to the motion, although Plaintiff Weber has filed an additional *pro se* filing, document 28.

Plaintiff originally filed this action *pro se*, on August 13, 2009. On December 7, 2009, Attorney James A. Williams entered an appearance on behalf of Plaintiff. Mr. Williams has met all the Court's deadlines and has actively prosecuted Plaintiff's case. Plaintiff does not complain about Mr. Williams' representation; his complaints are regarding the merits of his case.

Defendants point out that Rule 11(a) of the Federal Rules of Civil Procedure prohibits *pro se* filings by represented parties as it requires that "[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name— or by a party personally if the party is unrepresented." See *also* Local Rule 11(a) ("All documents filed and signed by a party not represented by an attorney must contain the party's name, address, telephone number, fax number and email address.") Defendants request that all the pleadings submitted by Weber without Mr. Williams' signature be stricken because they are in contravention of the requirements of

Rule 11. In support, they cite *U. S. v. Suell*, 2008 WL 2845295, \*1 (N.D. Tex. 2008) (“Because Suell is represented by counsel, the court grants the government’s March 28, 2008, motion to strike *pro se* filings.”)

The Court is concerned that Plaintiff may unintentionally harm his own case if he does not allow his attorney to fully represent his interests. For these reasons, the Court finds that Defendants’ motion is well advised and it is HEREBY GRANTED.

IT IS, THEREFORE, ORDERED:

1. Plaintiff’s *pro se* filings docketed as numbers 10, 18, 20, 21, 25, and 28, are hereby stricken from the record of this cause, and the Clerk shall make a notation of same on the docket of this case.
2. Plaintiff Weber is directed to submit no further filings in this case; all correspondence with the Court shall be made via Mr. Williams. If Plaintiff violates this direction, Defendants are not required to respond to further *pro se* filings unless an Order is entered directing that they respond.

SO ORDERED, this the 6th day of May, 2010.

/s/ Linda R. Anderson  
UNITED STATES MAGISTRATE JUDGE